



CITY OF DURHAM | NORTH CAROLINA

Date: September 17, 2013

To: Thomas J. Bonfield - City Manager
Through: W. Bowman Ferguson - Deputy City Manager
From: Marvin G. Williams – Director of Public Works
Subject: Memorandum of Agreement, NC Floodplain Mapping Program (FEMA FIRM updates)

Executive Summary

The Capital Improvement Program (CIP) includes funding for floodplain management efforts that provide the City with flood studies and maps for use with implementing the local National Flood Insurance Program (NFIP), as well as a resource to residents for flood safety/preparedness and for flood insurance purposes. City staff has coordinated with the North Carolina Floodplain Mapping Program (NCFMP), an office within the Division of Emergency Management in the Department of Public Safety, through a Flood Map Modernization (MapMod) Partnership to provide updated flood studies and Digital Flood Insurance Rate Maps (DFIRMs). Approval of the Memorandum of Agreement (MOA) for the MapMod Partnership will allow the NCFMP to move forward with completing the work necessary to provide updated flood studies and mapping.

Recommendation

The Administration recommends that the City Council authorize the City Manager to execute the Memorandum of Agreement with the North Carolina Floodplain Mapping Program and to pay, under such agreement, and additional letters implementing such agreement, an amount of up to \$160,000.00, for capital expenses associated with the update of flood studies and mapping as specified in the agreement; and further authorize changes to the Memorandum of Agreement provided such changes do not increase the City's obligations or substantially modify the intent or material conditions of the project to the detriment of the City.

Background

The City of Durham participates in the NFIP that requires the City regulate development within the Federal Emergency Management Agency (FEMA) mapped Special Flood Hazard Area (SFHA) to the standards specified by FEMA at a minimum. As a participating NFIP community the City is eligible for federal disaster assistance and property owners and residents within Durham have access to federally subsidized flood insurance.

The basis for regulating development within the SFHA are the FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs). The State of North Carolina under agreement with FEMA is a Cooperative Technical State (CTS) and has agreed to update and maintain the FIS and FIRMs of all communities within the State. The NCFMP, an office within the Division of Emergency Management in the Department of Public Safety, was established by the State to manage the review and update of flood studies and mapping through their CTS with FEMA. The primary goal of the NCFMP is to maintain current flood studies and floodplain mapping with updates at least once every five years.

The NCFMP also recognizes and encourages local communities to be an active partner with the State's MapMod effort to provide updated flood studies and DFIRMs. The City of Durham has adopted higher standards for floodplain development that include regulation of future build out conditions for the 1% annual chance flood event when studied/mapped. The minimum NFIP standards include regulation of the SFHA, which includes areas inundated from the 1% annual chance flood event based on current conditions. In 2006 FEMA issued a Physical Map Revision (PMR) of Durham's FIRMs. Several detailed study streams that were restudied for the 2006 PMR included identification of the future conditions 1% annual chance event floodplain at the request of the City, however, funds were not available for the remaining studied streams to have future conditions identified. During the 2009 map maintenance visit with NCFMP staff City officials reiterated their interest in having future conditions 1% annual chance event floodplain identified and mapped for all studied floodplains. As a result of this meeting the MapMod Partnership between the City and NCFMP was formed.

Issues and Analysis

The Memorandum of Agreement (MOA) between the City of Durham and the NCFMP is an agreement to cooperatively fund the update of Durham's FIS and DFIRMs that includes identification of the future conditions 1% annual chance event floodplain based on ultimate build out conditions as provided in Durham's comprehensive land use plan. Through this agreement Durham will provide \$160,000.00 in funding to the NCFMP and NCFMP will provide an additional \$220,000.00 in funding for flood study and mapping revisions as identified in the agreement.

As a Cooperative Technical Partner, Durham recognizes the need to function as a cooperative team with the NCFMP. Working together on the MapMod Partnership allows for efficient use of both the City's and State's resources. The MOA was developed in a manner to realize efficiencies with project schedule and cost while keeping NCFMP's FIRMs current in regard to Durham's mapped floodplain.

Alternatives

The alternative is to deny budgeted capital expenditures for flood study and mapping revisions, thereby delaying the update of crucial floodplain mapping resources needed for administering the community's National Flood Insurance Program (NFIP).

Financial Impact

The allotted funds (\$160,000.00) will be used from the Capital Improvement Project Ordinance (#14466) for the update and revision of the community's flood studies and mapping as noted in the MOA from the following accounts.

4300L045-725000-LK106

SDBE Summary

The State of North Carolina through its Department of Emergency Management will handle all activities related to this project. The Department of Equal Opportunity/Equity Assurance did not review this project for compliance with the Ordinance to Promote Equal Opportunities in City Contracting.

Attachment

1. Memorandum of Agreement